

**REMARKS/ARGUMENTS**

Claims 1, 3 - 7, 8, and 10 - 19 are pending. Claims 2 and 9 have been canceled without prejudice. Dependent claim 16 - 19 have been appended.

The drawings were objected to in connection with the reference numerals 29a - 29e, for being discussed but not otherwise shown. In response, the specification has been amended to remove the reference numerals. The drawing objections are believed to be overcome.

The specification was objected for certain informalities. In response, the specification has been further amended to correct the informalities. Additional occurrences of the reference numerals have likewise been canceled from the specification. The objections to the specification are believed to be overcome.

Claims 11 and 12 were objected to for informalities relating to antecedent basis in a recited element of the claims. In response, claims 11 and 12 have been amended to correct the informality. The objection to claim 11 is believed to be overcome. In addition, claim 12 has been amended to further clarify that first and second light is used to illuminate the specimen. As amended, claim 12 is believed to recite allowable subject matter.

Claims 1 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Noguchi et al., U.S. Patent No. 6,400,454 in view of the Japanese Patent document 4-368146 and in further view of Nei, U.S. Patent No. 6,492,649.

However, it is noted with appreciation that claims 5 - 7 are allowed. It is further noted with appreciation that claims 2 - 4 and 9 - 15 are deemed to recite allowable subject matter.

In response to the Section 103 rejection, the subject matter recited in claim 2 has been incorporated into claim 1 and the subject matter of claim 9 has been incorporated into claim 8. Consequently, it is believed the Section 103 rejection of claims 1 and 8 are overcome.

In addition, claim 5 has been amended to correct some minor informalities discovered during a review of the claim, and to clarify some of the language. Claim 5 as amended is believed to remain patentable over the cited art.

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PATENT

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

  
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